

2005 DRAFTING REQUEST

Bill

Received: **11/19/2004**

Received By: **btradewe**

Wanted: **As time permits**

Identical to LRB:

For: **Marlin Schneider (608) 266-0215**

By/Representing: **Rep. Schneider**

This file may be shown to any legislator: **NO**

Drafter: **mshovers**

May Contact:

Addl. Drafters:

Subject: **Local Gov't - munis generally**
Local Gov't - counties

Extra Copies: **RNK**

Submit via email: **YES**

Requester's email: **Rep.Schneider@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Prohibit a municipality or county from imposing a fee for replacing fixtures

Instructions:

See attached City of Madison general ordinances. Prohibit local gov'ts from charging fees for replacement parts -- i.e. replacing water heaters.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			Local
/1	mshovers 11/19/2004	jdye 11/20/2004	rschlue 11/22/2004	_____	lnorthro 11/22/2004		Local
/2	mshovers	jdye	rschlue	_____	lnorthro	lnorthro	

LRB-0937

12/07/2004 03:57:52 PM

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<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	12/02/2004	12/03/2004	12/06/2004	_____	12/06/2004	12/07/2004	

FE Sent For:

<END>

→ At
Intro.

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/?		12/13 jkd					Local
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/1	mshovers 11/19/2004	jdye 11/20/2004	rschluet 11/22/2004		lnorthro 11/22/2004		
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12 MES 12/2/04

126 45P

LRB-0937

11/22/2004 01:59:10 PM

Page 2

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<END>

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/?	mshovers	1/1/04					
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FE Sent For:

<END>

Schneider -

~~Mark~~ ~~Mark~~ - prohibit local govts from charging fees for
replacement parts - eg. replacing water heater - Blowing
Grove - Madison - Seals of furnaces, pumps,

Gibson-Glass, Mary

From: Shovers, Marc
Sent: Monday, November 15, 2004 2:59 PM
To: Gibson-Glass, Mary
Subject: For Rep. Schneider's request

This is from the Madison General Ordinances, and I talked to Harry Salzer in the Madison Building inspection unit. His number is 6-4568.

18.10 PLUMBING PERMIT FEES.

(2) Permit Fees - Existing Buildings.

A permit fee of six dollars (\$6) per fixture shall be submitted with the application for fixtures to be installed as replacements or alterations, with a minimum fee of \$10.00, effective January 1, 1990. (Am. by Ord. 9935, 1-11-90)

In no case shall the fee exceed those as calculated for new buildings as listed in Sec. 18.10(1)(a), (b), (c), (d) and (e).

The following are subject to permit fees:

Rev. 6/15/00 18 - 6

PLUMBING CODE Sec. 18.10(2)(a)

(a) All new fixtures and appliances as indicated on the application form furnished the applicant including water heaters and softeners.

(b) All plugged or capped openings left for future installation of fixtures.

(c) When any change is made in the water, soil, waste or vent piping which necessitates the resetting of any plumbing fixture or appliance, each fixture so affected.

(d) Repaired or replaced fixtures, building sewer, building drain, soil, waste or vent pipes within an existing building.

(e) When plumbing fixtures or appliances not listed in the original permit application are added, each fixture or appliance so added will be subject to a fee of ten dollars (\$10), with a minimum fee of \$20.00. (Am. by Ord. 10,255, Adopted 5-7-91)

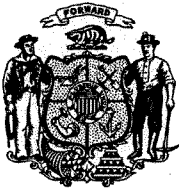
(f) A single fixture is herewith defined to be any plumbing fixture or appliance that may include a two-bowl laundry tray, two-bowl kitchen sink, multi-bowl soda fountain, bar or similar fixtures constructed as a combined fixture.

(g) Private water mains or services at \$15.00 per 100 feet or fraction thereof. (Am. by Ord. 9935, 1-11-90)

(3) An additional double fee shall be paid for any plumbing work performed without having notified the Inspection Unit of the Department of Planning and Development prior to doing the work. (Am. by Ord. 9935, 1-11-90)

(4) The inspection fee for building sewers (sanitary) and building sewers (storm) shall be fifteen dollars (\$15) for each one hundred (100) lineal feet or fraction thereof. If conditions are such that the plumber cannot leave the trench open for inspection or that extensive work is being done requiring inspection outside of normal working hours, the Inspection Unit of the Department of Planning and Development may assign an inspector to inspect the installation and the contractor shall pay the City Treasurer for such inspection service at the rate of twenty-five dollars (\$25) per hour. (Am. by Ord. 9935, 1-11-90)

(5) (R. by Ord. 11,946, 10-14-97)



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-09377

MES#.....

JLD RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

LPS -
Print w/
line numbers

D-Note

gen

AN ACT ...; relating to: limiting the authority of local governments to enact and enforce ordinances or resolutions that impose fees on the purchase or installation of certain fixtures. ✓

Analysis by the Legislative Reference Bureau MOVE

This bill prohibits a political subdivision (a city, village, town, or county) from enacting or adopting an ordinance to impose or collect a fee for the purchase or installation of a plumbing fixture if the fixture replaces an existing fixture or is added to an existing building or structure. If a political subdivision has such an ordinance or resolution that is in effect on the effective date of the bill, the ordinance or resolution does not apply and may not be enforced. ✓

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 66.0408 of the statutes is created to read:

66.0408 Local regulation of plumbing fixtures. (1) DEFINITIONS. In this section: ✓

(a) "Fixture" means a new plumbing fixture that either replaces an existing plumbing fixture or is added to an existing building or structure.

(b) "Political subdivision" means a city, village, town, or county.

(2) IMPOSITION OF FEES. (a) A political subdivision may not enact an ordinance or adopt a resolution to impose or collect any kind of fee for the purchase or installation of a fixture.

(b) If a political subdivision has in effect on the effective date of this paragraph [revisor inserts date] an ordinance or resolution that is inconsistent with par. (a), the ordinance or resolution does not apply and may not be enforced.

(END)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0937/7¹dn

MES¹.....
jld

Representative Schneider:

As drafted, this bill would apply to both residential and commercial buildings. Please let me know if this is not consistent with your intent.

Marc E. Shovers
Senior Legislative Attorney
Phone: (608) 266-0129
E-mail: marc.shovers@legis.state.wi.us

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0937/1dn
MES:jld:rs

November 22, 2004

Representative Schneider:

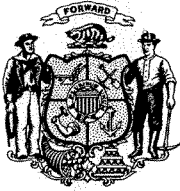
As drafted, this bill would apply to both residential and commercial buildings. Please let me know if this is not consistent with your intent.

Marc E. Shovers
Senior Legislative Attorney
Phone: (608) 266-0129
E-mail: marc.shovers@legis.state.wi.us

Shovers, Marc

From: Schneider, Marlin
Sent: Monday, November 22, 2004 4:14 PM
To: Shovers, Marc
Subject: Submitted: LRB 05-0937/1 Topic: Prohibit a municipality or county from imposing a fee for replacing fixtures?body=

Marc - I would like this draft to apply to more than just plumbing fixtures but also to any HVAC, pumps, plumbing, water heaters, water softeners, or anything else in a home of business that is a replacment part.- Marlin



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0937/1

MES:jld:rs

RMR

2005 BILL

resen

1 AN ACT *to create* 66.0408 of the statutes; **relating to:** limiting the authority of
2 local governments to enact and enforce ordinances or resolutions that impose
3 fees on the purchase or installation of ~~certain~~ fixtures.

Analysis by the Legislative Reference Bureau

This bill prohibits a city, village, town, or county (political subdivision) from enacting ~~or adopting~~ an ordinance or resolution to impose or collect a fee for the purchase or installation of a ~~plumbing~~ fixture, if the fixture replaces an existing fixture or is added to an existing building or structure. If a political subdivision has such an ordinance or resolution that is in effect on the effective date of the bill, the ordinance or resolution does not apply and may not be enforced.

For further information see the **local** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 SECTION 1. 66.0408 of the statutes is created to read:
5 **66.0408 Local regulation of plumbing fixtures. (1) DEFINITIONS.** In this
6 section:

BILL

1 (a) "Fixture" means a new plumbing fixture that either replaces an existing
2 plumbing fixture or is added to an existing building or structure. ✓

3 (b) "Political subdivision" means a city, village, town, or county.

4 (2) IMPOSITION OF FEES. (a) A political subdivision may not enact an ordinance
5 or adopt a resolution to impose or collect any kind of fee for the purchase or
6 installation of a fixture.

7 (b) If a political subdivision has in effect on the effective date of this paragraph
8 [revisor inserts date], an ordinance or resolution that is inconsistent with par. (a),
9 the ordinance or resolution does not apply and may not be enforced.

10 (END)

Northrop, Lori

From: Schneider, Marlin
Sent: Tuesday, December 07, 2004 3:30 PM
To: LRB.Legal
Subject: Draft review: LRB 05-0937/2 Topic: Prohibit a municipality or county from imposing a fee for replacing fixtures

It has been requested by <Schneider, Marlin> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 05-0937/2 Topic: Prohibit a municipality or county from imposing a fee for replacing fixtures